

10-11-05

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

09/746,192

Filing Date

December 21, 2000

First Named Inventor

James A. Parker

Group Art Unit

2876

Examiner Name

Le, Thien Minh

Total Number of Pages in This Submission

8

Attorney Docket Number

283-205.03 Con

## ENCLOSURES (check all that apply)

 Fee Transmittal Form Drawing(s) After Allowance Communication to Group Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Amendment / Reply Petition Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) After Final Petition to Convert to a Provisional Application Proprietary Information Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Status Letter Extension of Time Request Terminal Disclaimer Other Enclosure(s) (please identify below): Express Abandonment Request Request for Refund

One check for \$180 (IDS Fee), PTO/SB/08B Information Disclosure Statement (1 pg.), One copy of cited references AA-AB, and return mail room postcard.

 Information Disclosure Statement CD, Number of CD(s)

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.

Express Mail Label No. EV561775136US

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

Wall Marjama &amp; Bilinski LLP

Signature

George S. Blasiak

Reg. No. 37,283

Date

October 7, 2005

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail (Express Mail Label No.EV561775136US)in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

October 7, 2005

Typed or printed name

Jeannine C. Schirripa

Signature

Date

October 7, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4814)

**FEE TRANSMITTAL  
For FY 2005**

OCT 07 2005

**Complete if Known** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$180.00

Express Mail Label EV561775136US

**METHOD OF PAYMENT (check all that apply)** Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_ Deposit Account Deposit Account Number: 50-0289    Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- |                                                                                   |                                                                                   |
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| <input type="checkbox"/> Charge fee(s) indicated below                            | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments | <input checked="" type="checkbox"/> Credit any overpayments                       |
| of fee(s) under 37 CFR 1.16 and 1.17                                              |                                                                                   |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 or HP =	x	=		Fee (\$)

HP= highest paid number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP=highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number)	x	=

**4. OTHER FEES**

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement Fee \$180.00

**SUBMITTED BY**

Signature		Registration No. 37,283 (Attorney/Agent)	Telephone 315-425-9000
Name (Print/Type)	George S. Blasiak		Date October 7, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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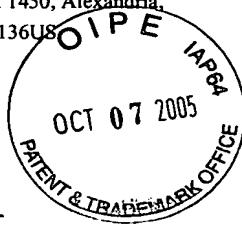
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PATENT  
Express Mail Label No. EV561775136US  
Attorney Docket No.: 283-205.03 Con

On October 7, 2005

WALL MARJAMA & BILINSKI LLP

By: Jeannine C. Schirripa  
Jeannine C. Schirripa



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

James A. parker, et al.

Application No.: 09/746,192

Filed: December 21, 2000

For: Reprogrammable Optical Reader

Examiner: Thien Minh Le

Art Unit: 2876

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Mail Stop: Issue Fee  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of references AA-AB are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a

reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the submission of an Information Disclosure Statement should not be considered as representation that a search has been made.

The present Information Disclosure Statement is being filed to make of record claims recently entered in the following applications: (1) Application No. (Not Yet Assigned), Bar Code Reading Device Having Partial Frame Image Capture Operating Mode, Attorney Docket No. 283-280 Con, Express Mail Label No. EV554215873US, Filed September 28, 2005 and (2) Application No. 10/801,937.

The information of the new claims being filed in the above applications assigned to the assignee of the present application was not cited in a communication from a foreign patent office and to the knowledge of the person signing below, after making a reasonable inquiry, was not known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the present Information Disclosure Statement.

Applicants believe that a fee is required for submission of this statement. A check in the amount of \$180.00 is enclosed.

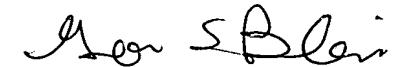
The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: October 7, 2005

Customer No. 20874



George S. Blasiak  
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GSB/js



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**Substitute** for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Express Mail No. EV561775136US  
(use as many sheets as necessary)

Sheet 1 of 1

### Complete if Known

Application Number	09/746,192
Filing Date	December 21, 2000
First Named Inventor	James A. Parker
Art Unit	2876
Examiner Name	Le, Thien Minh
Attorney Docket Number	283-205.03 Con

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AA	Claims 1-40 of Application No. (Not Yet Assigned), Bar Code Reading Device Having Partial Frame Image Capture Operating Mode , Attorney Docket No. 283-280 Con, Express Mail Label No. EV554215873US, Filed September 28, 2005	
	AB	New claims 66-77 of U.S. Patent Application No. 10/801,937, Optical Reader Processing Two-Dimensional Electronic Representation, Attorney Docket No. 703-006.50.22, Filed March 16, 2004, Claims filed with Amendment Dated August 15, 2005	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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